

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT**

**IN THE MATTER OF:**

TERENCE DAMPHIE,  
JONNIE M DAMPHIE,  
Debtors.

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CHAPTER 13  
CASE NO. 09-70952-PJS  
JUDGE PHILLIP J SHEFFERLY

**ORDER OF DISMISSAL UPON AFFIDAVIT OF THE TRUSTEE**

This matter came before the Court on January 19, 2010, and the matter having been fully considered and certain requirements having been established that, if not met, would result in the dismissal of the proceedings without a further hearing or notice to the Debtors, upon the submission of an affidavit of the Chapter 13 Standing Trustee attesting to a failure to comply with the conditions established, and the affidavit of the Trustee having been submitted herewith, and the Court being otherwise sufficiently advised in the premises;

**IT IS HEREBY ORDERED** that the above proceedings shall be and are hereby ordered dismissed for the failure of the debtor to meet conditions as established in the records of this Honorable Court, as attested to by the affidavit of the Chapter 13 Standing Trustee;

**IT IS FURTHER ORDERED** that the clerk's office shall immediately provide notice of the entry of this Order to all creditors listed in this case, the Debtors, Debtors' attorney, if any, and the Trustee;

**IT IS FURTHER ORDERED** that Krispen S. Carroll, Trustee, is discharged as Trustee and the Trustee and her surety is released from any and all liability on account of the within proceedings;

**IT IS FURTHER ORDERED** that the Court retains jurisdiction to hear all pending motions requesting a 180 day bar to refiling;

**IT IS FURTHER ORDERED** that from the funds held by the Chapter 13 Trustee in the above matter, the Trustee shall make payment of fees and costs due to the Bankruptcy Court and a \$100.00 administrative fee to the Chapter 13 Trustee, if the Chapter 13 Plan has not been confirmed, to defray the Trustee's costs and expense of administering the case to date.

Signed on February 03, 2010

    /s/ Phillip J. Shefferly      
Phillip J. Shefferly  
United States Bankruptcy Judge